

RENTAL HOUSING MEDIATION TASK FORCE  
MINUTES

OCTOBER 7, 2010  
630 Garden Street  
Santa Barbara, California, 93101  
5:30 p.m.

1. CALL TO ORDER & ROLL CALL:

LEESA BECK	<u>X</u>	MARSHALL SHERRILL	<u>X</u>
BENJAMIN BUSH	<u>X</u>	BARBARA SMITH SHERRILL	<u>X</u>
SILVIO DILORETO	<u>X</u>	ROGER SIMPSON	<u>X</u>
JUSTIN DULLUM	<u>E</u>	SKIP SZYMANSKI	<u>X</u>
LYNN GOEBEL	<u>X</u>	SCOTT WEXLER	<u>X</u>
DANIEL HERLINGER	<u>X</u>	BRUCE WOLLENBERG	<u>X</u>
TRUDY PAUL	<u>X</u>		

X = Present      A = Absent      E = Excused

Officers: Barbara Smith Sherrill Chair, Leesa Beck Vice Chair, Justin Dullum Secretary  
Staff Present: Andrea Bifano, Sr. Rental Housing Mediation Specialist

2. PUBLIC COMMENT:

The Rental Housing Mediation Task Force (RHMTF) was conducted in compliance with the standards set by the Americans with Disability Act. No members from the public were present to address the RHMTF on a particular issue.

3. APPROVAL OF MINUTES:

Roger Simpson made a motion to approve the Minutes of the May 6, 2010 meeting. Skip Szymanski seconded the motion and it passed.

4. OVERVIEW OF THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA:

*Skip Szymanski, Deputy Executive Director/COO:* Skip Szymanski provided the background on the operation of the Housing Authority of the City of Santa Barbara. He stated that their mission as a local public agency was created under state law for the purpose of providing safe, decent, and quality affordable housing and supportive services to eligible persons with limited incomes, through a variety of federal, state, local and private resources. He shared their core values were: Commitment, Compassion, Competency, Cooperation and Communication. He also discussed the various different housing programs: Public Housing, Section 8, Non-HUD/locally owned and other specialized programs. His presentation was well received and was followed by a question and answer period.

5. ANNUAL RECRUITMENT FOR CITY ADVISORY GROUP MEMBERS:

Barbara Smith Sherrill, Chair shared the following with Task Force members:

- A. *Rental Housing Mediation Task Force Vacancies 8 (1 Homeowner, 4 Landlords and 3 Tenants)*
- B. *Incumbents (serve until 12/31/10 unless reappointed): Leesa Beck, Ben Bush, Marshall Sherrill, Skip Szymanski, Scott Wexler, and Bruce Wollenberg*
- C. *Resignation Deadline: Friday, October 8*
- D. *Application Deadline: Monday, October 25, at 5:30 pm*
- E. *Interviews (dates and estimated time): November 9, at 4:00 pm; November 16, at 6:00 pm; and November 23, at 4:00 pm*
- F. *City Council Appointments: December 7, 2010.*

6. CASELOAD REPORT AND MEDIATION TRAINING: (1 hour)

A. The Statistical Reports for the months of May, June, July, August and September 2010 were distributed to the Task Force.

B. Mediations/Skills: Two mediations and the skills utilized to reach a resolution were discussed.

A multi-party mediation was held during the month of September 2010. The Mediators were Ben Bush, Dan Herlinger and Trudy Paul and staff. The issue was a termination of tenancy and possible discrimination. The skills utilized in the mediation included: Shuttle Diplomacy, reality testing and mediator caucus. The mediation allowed the parties to meet together for the first time and discuss their dispute.

Mediation Training: Staff distributed three training leaflets: Reasons to Caucus, Shuttle Diplomacy and From Advocate to Advisor: the Role of the Lawyer in Mediation.

The first training leaflet, *Reasons to Caucus*, provided a definition of Caucus. It stated that caucuses were meetings that mediators hold separately with each side of a dispute. They could be called by the mediator or by one of the parties to work out problems that occur during the mediation process. The meeting could include support people, witnesses, or a separate caucus could be held for the party's representative alone. In the co-mediator model, a Mediator caucus can be held to allow the Mediators time to discuss the case privately away from the parties. *Reasons to Caucus* included, reducing a highly volatile or emotional situation, and allowing time for venting, cooling off and reflecting, building trust with the parties, to probe facts, interest, needs, motivations, justification and concerns.

*Shuttle Diplomacy, or mediated communication*, was described as a form of caucusing process in which the mediator goes back and forth between the parties, who are seated in different rooms. This method is used when direct communication between the parties is unlikely to reduce tensions, and may actually make the situation worse. The purpose is to narrow or eliminate issues, overcome barriers to momentum in the negotiation, exchange proposals, courtier-proposals, narrow the gap that separated the parties, and help develop creative options for settlement.

The article, *From Advocate to Advisor: The Role of the Lawyer in Mediation*, discussed the attorney's role in mediation. Some tips included: acknowledgement of the client's central role in the mediation, assist clients to communicate by summarizing discussions or clarifying matters that are confusing, they help clients stay focused on the issues at hand, offer advice, guidance and information. Essentially, Attorneys maintain a supportive, cooperative demeanor and demonstrate commitment to the mediation process by words, and behavior. They act as an agent of reality, help the client to balance the risks of accepting or rejecting settlement offers and they can draft documents as required.

7. ANNOUNCEMENTS:

Dan Herlinger stated that he recently saw a play, *The Cocktail Hour*, at the Circle Bar B Dinner Theatre. He shared that the play was very entertaining and that our very own mediator, Leesa Beck was excellent in her role as Nina. Leesa had previously shared with the board that she had an MBA from Pepperdine University. Dan was surprised to learn that Leesa's Bachelor of Arts was in Theatre from Cornell University. He shared that the play was a must see.

8. ADJOURNMENT: The meeting was adjourned at 7:00pm.